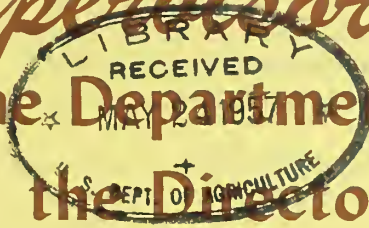


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To the *Supervisors* of the Department From the Director of Personnel..



GUIDE FOR DEVELOPING UNDERSTANDING OF -- NONDISCRIMINATION POLICY *

NONDISCRIMINATION POLICY AND REGULATIONS

The just treatment of Government employees is considered so basic to our American way of life and to good supervision and personnel management that the President issued Executive Order 10590, January 18, 1955, governing nondiscrimination within the Federal establishment. Implementing regulations have been issued by the President's Committee on Government Employment Policy and by the Department of Agriculture (Title 8 AR Chapter 46). Every supervisor should be informed of this policy so there will be *No Misunderstanding*.

WHAT DO WE MEAN BY NONDISCRIMINATION POLICY?--

It means managing employees in a manner that is considered fair by all parties concerned. It also means applying the principles underlying American democracy by using our people in conformity with their abilities, records and performance. Stated another way, it means basing selection of employees and all our other supervisory practices solely upon merit and fitness, irrespective of race, color, religion, or national origin.

REASONS FOR HAVING A NONDISCRIMINATION POLICY AND REGULATIONS

Some may ask why it is necessary for the Department of Agriculture to have a nondiscrimination policy and regulations. Here are some logical answers: It --

1. Provides for the most effective utilization of employees in that merit and fitness are the sole considerations in effecting a personnel action.
2. Provides guidance for employer-employee relations.
3. Creates a unified, nonsegregated work force where selections, promotions, and work assignments are based solely upon merit and fitness.
4. Has a salutary effect by creating an awareness of the problems caused by discrimination.
5. Improves morale and creates incentive to maintain satisfactory personnel relations.
6. Extends the recruitment base to the maximum possible by opening the door to all qualified applicants.

*Officials using "Guide Posts for Supervisors" may wish to incorporate this Flyer in Section II titled "The Framework in which we Operate."

PERSONS RESPONSIBLE

Who is Responsible for Compliance with the Nondiscrimination Policy?

- ◆ Secretary of Agriculture
- ◆ Employment Policy Officer of the Department
- ◆ Deputy Employment Policy Officers
- ◆ Supervisors
- ◆ Personnel Officers
- ◆ Every employee of the Department

Executive Order 10590 places full responsibility on the Secretary of Agriculture for insuring that the nondiscrimination policy is observed in all personnel actions within the Department. This requirement, like most responsibilities for good personnel management, has been redelegated through channels to the first level of supervision. To insure that we discharge this obligation properly, deputy employment policy officers have been designated. These officers are, among other things, responsible for reviewing personnel actions periodically to determine their conformity with the nondiscrimination policy. They also receive and investigate complaints where discrimination is alleged. When their findings warrant it, they recommend necessary corrective and disciplinary action.

What Means have been established to Insure that the Secretary of Agriculture and other responsible Officials discharge their Responsibilities Properly?

1. Executive Order 10590 gives the President's Committee on Government Employment Policy authority to make inquiries and investigations and to advise the President concerning conformity of department and agency personnel practices with the non-discrimination policy of the order.
2. A primary function of the Committee is to review reports and records regarding the disposition of employment policy complaints referred by the Employment Policy Officer of the Department. In case of formal appeal, the Employment Policy Officer will, after review of the record, submit to the complainant a statement of his findings and recommendation he proposes to make to the Secretary of Agriculture. The President's Committee may, upon request of the complainant, review the record and furnish an advisory opinion to the Secretary of Agriculture prior to his final decision.
3. The Department of Agriculture policy is aimed toward elimination of all forms of discrimination based upon race, color, religion, or national origin, thereby insuring equality of economic opportunity to all employees and prospective employees.
 - ◆ All complaints are to be received and decisions made on each fairly.
 - ◆ Employees should seek resolution of their problems through informal discussion, particularly with their immediate supervisors.
 - ◆ If satisfactory adjustment cannot be achieved on an informal basis, an employee may resort to the formal appeals procedure without fear of reprisal.
4. The Office of Personnel will review agency nondiscrimination policies in connection with reviews of personnel management.
5. Those agencies which have internal audit and investigation staffs will assist in determining the extent of compliance with the nondiscrimination policy by including the subject in their audit programs when making regular examinations of agency activities.

RESPONSIBILITIES OF SUPERVISORS FOR NONDISCRIMINATION POLICY

Now that we have reviewed the policy and have considered some of the reasons for such a policy, let us take a closer look at our obligation to be fair and impartial in all our employment practices.

What are our Responsibilities under the Nondiscrimination in Employment Policy? As Representatives of Management it is up to Us to Carry out and Enforce the Word and Spirit of the Nondiscrimination Policy of the Department by --

1. Selecting employees on the basis of merit and fitness.
2. Distributing the work of our units fairly among employees.
3. Granting privileges impartially to all.
4. Administering disciplinary measures fairly and justly.
5. Avoiding the practice of segregating workers.
6. Settling all complaints uniformly, promptly, and satisfactorily whenever possible.
7. Advising employees of their rights to further consideration by higher authority where satisfactory resolution of complaints cannot be effected. Advise them of their right to submit a written complaint to their employment policy officer.

EMPLOYEE RIGHTS

Any employee or applicant for employment or employee being separated may utilize the Employment Policy procedure when he has been *or feels that he has been* denied equality of economic opportunity because of his race, color, religion, or national origin.

HOW DO DISCRIMINATION COMPLAINTS DIFFER FROM OTHER TYPES OF GRIEVANCES AND COMPLAINTS?

- ◆ Discrimination cases under Executive Order 10590 are always concerned with discrimination based upon race, color, religion, or national origin. These cases raise questions as to the employment pattern of the employing station involved, particularly the organizational segment in which the discrimination complaint arose.
- ◆ Grievances are concerned with employee dissatisfactions not based upon discrimination.
- ◆ Any complaint alleging discrimination on the grounds set forth in E. O. 10590 must be processed as a nondiscrimination in employment case.

BENEFITS FOR EMPLOYEES

How does it Benefit Employees? It --

1. Provides an avenue of relief for those employees and applicants who feel they have discriminated against by some official in the Department. (Even though the instances of alleged unlawful discrimination are not numerous, it is important that these instances be investigated and corrected.)
2. Assures that each individual is to be treated with dignity and is accorded the individual rights guaranteed him by our Constitution.
3. Provides day-by-day encouragement for application of the principles underlying our American democracy.
4. Minimizes and, to the extent possible, eliminates the adverse effects of prejudices and intolerance.

SELF - EVALUATION

Now that we have discussed the nondiscrimination policy and have considered our responsibilities and the rights of employees under it, let us do a little soul-searching self-evaluation to see how fair our own employment and supervisory practices are and how well you are doing in observing the spirit of *nondiscrimination in employment*.

EFFECTS OF DISCRIMINATORY PRACTICES ON SUPERVISION AND THE SUPERVISOR

Probably every one of us is affected to some degree by prejudices and feelings of resentment against certain types of people. Of course such reactions are based generally upon our emotions rather than on sound reasons. Perhaps more often than not we are quite unaware of these subconscious attitudes. Any such feelings (which we may or may not recognize) will cause us to react almost automatically to any situation which arouses them. To illustrate, let us ask ourselves a few questions.

In what kinds of Situations might we be prone to Let our Feelings Take Over? In --

- ♦ Selecting new employees.
- ♦ Recommending for promotion.
- ♦ Assigning work.
- ♦ Issuing equipment or allotting space.
- ♦ Making performance appraisals.
- ♦ Granting leave.
- ♦ Taking disciplinary action.

What are some of the Bases for Prejudices, even though they may have nothing to do with Ability to Get the Work Out?

- ♦ Personal mannerisms and behavior.
- ♦ Speech habits and accents.
- ♦ Physical build and appearance.
- ♦ Race.
- ♦ Color.
- ♦ Outside interests and activities.
- ♦ National origin.
- ♦ Sex of employee or applicant.
- ♦ Political affiliation.

If it is True that all of us have some of the Prejudices, what might we stand to lose, as Supervisors, if we Fail to Recognize and Guard against them?

- ♦ We could lose a valuable worker or applicant.
- ♦ We could waste manpower by making poor work assignments.
- ♦ We could get a reputation for being unjust.
- ♦ We could lose the job motivation that stems from high employee morale.
- ♦ We could find ourselves faced with formal charges of unfairness.
- ♦ We could lose the respect of both our employees and those we work for.
- ♦ We could injure our chances for advancement.